

**United States District Court  
For the District of Massachusetts**

CIVIL ACTION NO.: 2005-10530-JLT

MOUNTAIN PEAKS FINANCIAL )  
SERVICES, INC., )  
PLAINTIFF )  
JUDGMENT CREDITOR, )  
v. )  
PHILIP B. McADAM, )  
DEFENDANT )  
JUDGMENT DEBTOR. )

**MOTION TO CONTINUE CONFERENCE**

*Now comes* PHILIP B. MCADAM by and through counsel and moves that the Court continue the conference scheduled for October 4, 2005 and for reasons therefore he says:

1. That counsel for Philip B. McAdam is otherwise engaged in a criminal trial in Hillsborough County in Nashua, New Hampshire. A copy of the Defendant's Motion for Protective Order is hereto attached.
2. The moveant also says that Attorney Richard Gannett, attorney for the Plaintiff, has no objection to this continuance.

*Wherefore*, the Defendant respectfully requests this Honorable Court:

- a. Continue the conference in the above-captioned matter; and
- b. Make any other order it deems reasonable and just.

Dated: September 19, 2005

Respectfully submitted,  
PHILIP B. MCADAM,  
By his Attorney,

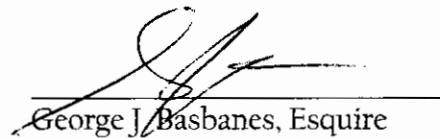
  
George J. Basbanes, Esquire  
BASBANES & CHENELLE  
648 Central Street  
Lowell, MA 01852  
(978) 459-3333  
BBO #032840

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true copy of the within **Motion to Continue Conference** was this day served upon the Plaintiff by mailing same, first class postage prepaid, to the Attorney for the Plaintiff, Richard W. Gannett, Esquire of **GANNETT & ASSOCIATES**, 165 Friend Street, Suite 200, Boston, Massachusetts 02114-2025.

Signed under the pains and penalty of perjury.

Dated: September 19, 2005



George J. Basbanes, Esquire

**State of New Hampshire**

**HILLSBOROUGH (SOUTH), SS**

**SUPERIOR COURT**

**#04-S-843**

STATE,

v.

EARL KNIPFER,

2005 AUG 24 A 8:17  
SUPERIOR COURT SOUTH  
HILLSBOROUGH COUNTY

**DEFENDANT'S MOTION FOR PROTECTIVE ORDER**

NOW COMES DEFENDANT, Earl Knipfer, in the above-captioned matter and, moves the Honorable Court to issue a Protective Order requiring that his counsel, George J. Basbanes be excused from appearing in other courts of the State of New Hampshire and the Commonwealth of Massachusetts during the period October 3<sup>rd</sup>, 2005 and so long as the above matter is at trial at the Hillsborough Superior Court at Nashua.

In support thereof, the Defendant states as follows:

1. The case against the Defendant is a serious criminal matter and is subject to speedy trial rules. George J. Basbanes has been scheduled to appear at the Family Division at Salem NH on October 5, 2005 and at the Middlesex Probate and Family Court in Cambridge Massachusetts on October 3<sup>rd</sup>, 2005.; and;
2. The matter scheduled in Salem and Cambridge respectively are marital matters and do not rise to the level of exigency as this case.
3. Counsel on both marital cases has no objection to the continuances of the respective marital matters.
4. This Motion is further supported by such arguments of counsel as may be advanced at the time of hearing.

WHEREFORE, Earl Knipfer respectfully requests that this Honorable Court issue a Protective

Order protecting Defendant's counsel, George J. Basbanes from default or sanction from failing to appear at the above mentioned matters as aforesaid.

Dated: August 19, 2005

Respectfully submitted.

Earl Knipfer,  
By his Attorney,

A handwritten signature in cursive script, appearing to read "George J. Basbanes", written over a horizontal line.

George J. Basbanes, Esquire  
Attorney for Defendant  
648 Central Street  
Lowell, Massachusetts 01852  
Phone: (978) 459-3333 / Fax: (978) 453-1827

HILLSBOROUGH COUNTY  
SUPERIOR COURT SOUTH  
2005 AUG 24 A 8:18

**State of New Hampshire****Hillsborough (South), ss.****Superior Court  
Docket No.04-S-843-8****State****vs.****Earl Knipfer****PROTECTIVE ORDER**

Whereas, the above cited matter is scheduled for a trial by order of the Court on October 3<sup>rd</sup>, 2005 at the Hillsborough Superior Court at Nashua, New Hampshire; and whereas the Court has been advised that the Attorney of Record, George J. Basbanes has present conflicting engagement for such date and will be presented with a conflict of engagements, which might require his appearance elsewhere at the said time and places; and whereas the Court deems it is essential that the above hearing be allowed at the date and time as the Court deems it proper that it issue a Protective Order, saving said Attorney harmless from any order and directions which would require his presence at another place on the date and time as set forth above:

Now, therefore, I Robert J. Lynn, Justice of the Hillsborough Superior Court in accordance with existing court rules, hereby issue this Protective Order, saving the said Attorneys harmless from any other Orders and directions requiring his presence elsewhere, so as to enable him to be present at the said Hillsborough Superior Court, Nashua, NH, at 9:00 A.M. on October 3<sup>rd</sup>, 2005 and from day to day thereafter until released from this Protective Order by the undersigned.

Date: 8/27/05

  
 Justice,  
 Hillsborough County Superior Court

Robert J. Lynn

 2005 AUG 24 A 8:18  
 HILLSBOROUGH COUNTY  
 SUPERIOR COURT SOUTH